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Via ECF

Hon. Christian F. Hummel
US Magistrate Judge
Northern District of New York
445 Broadway, Rm. 441
Albany, NY 12207

Re: Farrington v. Poole, et al.
Case No. 9:22-cv-356

Your Honor:

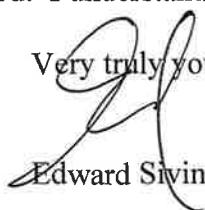
The undersigned represents Plaintiff in the above matter, which is an action to recover damages for an alleged use of excessive force by Defendants against Plaintiff in the Albany County Jail. I write to request that the Court schedule a conference with the parties in an attempt to resolve, without motion practice, a discovery dispute.

Specifically, on July 10, 2023, immediately following the deposition of Defendant Sgt. Michael Poole, Plaintiff served Defendants with a Second Request for Production of Documents and Things requesting, among other things, records related to Poole's treatment for "anger management." This request was prompted by Poole's testimony at his deposition that, prior to the use-of-force incident alleged in Plaintiff's complaint, Poole had received treatment for anger management. Plaintiff's document request was returnable August 9, 2023.

On August 22, 2023, Defendants responded to Plaintiff's discovery demands. In the Response, Defendants opposed production of any records of Poole's anger management, asserting essentially that those records are irrelevant and privileged. While defense counsel Kevin Cannizzaro and I had some initial communication in an attempt to resolve this issue, the issue remains in dispute. Moreover, since tomorrow is the discovery cut-off date, I thought it best to bring this issue to the immediate attention of the Court.

In light of the above, I respectfully request that the Court schedule a conference to address this issue. I attempted to contact Mr. Cannizzaro to see whether he consents to the scheduling of a conference, but he has not responded. I understand, however, that he is on vacation until Monday, August 28.

Very truly yours,



Edward Sivin